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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,571	06/24/2003	Do-Woo Kang	K-0509	8240

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EXAMINER	
MILORD, MARCEAU	

ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 04/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/601,571	KANG ET AL.	
	Examiner	Art Unit	
	Marceau Milord	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 June 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14,17,18 and 21-26* is/are rejected.

7)☒ Claim(s) *15,16,19 and 20* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 June 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-14, 17-18, 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yost et al (US Patent No 6560442 B1) in view of Jeon et al (US Patent No 6567381 B1).

Regarding claims 1-2, 5-6, Yost et al discloses a method of testing performance of a mobile station (figs. 2 and 4), comprising: virtually changing parameters of a mobile station (12a-12c of fig. 2) required for a registration at a base station (26a-26b of fig. 2) so that the mobile station excludes the registration and directly enters a test state (col. 4, lines 42-50;col. 5, lines 43-54; col. 7, lines 12-44).

However, Yost et al does not specifically disclose the step of testing a performance of the mobile station in the idle mode test state, wherein the mobile station can register with the base station subsequent to the testing without rebooting.

On the other hand, Jeon et al, from the same field of endeavor, discloses a method that automatically measures parameter data relating to wireless network environment in a code division multiple access system. First, if a server's telephone number is detected from power-on registration data stored in a storage device, then a connection with the server is attempted through a mobile station with a data service function using the server's telephone number. The measured parameter data is then collected and parsed to obtain sets of measured parameter data, each set having a different kind of measured data; and, finally, the sets of measured parameter data are transmitted to the server using the mobile station with the data service function when there is a data transmission request from the server (col. 2, line 23-col. 3, lines 6). Furthermore, the tester server may include a data analyzer, which is one of software tools, to analyze the measured parameter data provided from the tester for the performance evaluation of the base station. The parameter data measured according to the test plan program is collected and parsed to obtain sets of measured parameter data, each having a different kind of measured parameter data (col. 5, lines 19-41; col. 6, lines 3-50; col. 7, line 55- col. 8, line 27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Jeon to the communication system of Yost in order to provide an automatic test method employing a cost-effective and convenient wireless data measurement scheme.

Regarding claim 3, Yost et al as modified discloses a method of testing performance of a mobile station (figs. 2 and 4), wherein the mobile station comprises one of a plurality of mobile

stations, wherein each of the plurality mobile stations is tested individually to determine an impedance mismatch between mobile stations (col. 5, lines 32-55; col. 7, lines 6-21).

Regarding claim 4, Yost et al as modified discloses a method of testing performance of a mobile station (figs. 2 and 4), wherein the mobile station (12a-12c of fig. 2) comprises a global positioning system, and wherein the parameters that are virtually changed relate to non-volatile memory items (col. 5, lines 23-42).

Regarding claims 7-9, Yost et al discloses a method of testing performance of mobile stations (figs. 2 and 4) having global positioning system function, comprising: preventing a registration of a plurality of mobile stations at a base station by changing mobile station parameters loaded referring to non-volatile items required for the respective registrations (col. 4, lines 42-50;col. 5, lines 43-54; col. 7, lines 12-44).

However, Yost et al does not specifically disclose the steps of entering an idle mode test state by each of the plurality of mobile stations; testing a performance of the plurality of mobile station at the idle mode test state; and if a test result in the idle mode test state is "fail," independently testing each mobile station of the plurality of mobile stations.

On the other hand, Jeon et al, from the same field of endeavor, discloses a method that automatically measures parameter data relating to wireless network environment in a code division multiple access system. First, if a server's telephone number is detected from power-on registration data stored in a storage device, then a connection with the server is attempted through a mobile station with a data service function using the server's telephone number. The measured parameter data is then collected and parsed to obtain sets of measured parameter data, each set having a different kind of measured data; and, finally, the sets of measured parameter

data are transmitted to the server using the mobile station with the data service function when there is a data transmission request from the server (col. 2, line 23-col. 3, lines 6). Furthermore, the tester server may include a data analyzer, which is one of software tools, to analyze the measured parameter data provided from the tester for the performance evaluation of the base station. The parameter data measured according to the test plan program is collected and parsed to obtain sets of measured parameter data, each having a different kind of measured parameter data (col. 5, lines 19-41; col. 6, lines 3-50; col. 7, line 55- col. 8, line 27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Jeon to the communication system of Yost in order to provide an automatic test method employing a cost-effective and convenient wireless data measurement scheme.

Regarding claims 10-12, Yost et al discloses a method of testing performance of mobile stations (figs. 2 and 4) having a global positioning system function (col. 3, lines 5-11) comprising: turning off a power of a base station signal used to test a performance; turning on signal paths from a divider to each of a plurality of mobile stations (col. 5, lines 12-27); connecting each of the plurality of mobile stations to a diagnostic monitoring device; preventing a registration of the connected mobile stations with a base station by changing parameters loaded at each of the plurality of mobile stations referring to non-volatile items required for the respective registrations (col. 4, lines 42-50;col. 5, lines 43-54; col. 7, lines 12-44).

However, Yost et al does not specifically disclose the step of entering an idle mode test state by each of the plurality of mobile stations; turning on the power of the base station signal; and testing a performance of the mobile stations in the idle mode test state; wherein each of the

plurality of mobile stations can register with the base station subsequent to the testing without rebooting.

On the other hand, Jeon et al, from the same field of endeavor, discloses a method that automatically measures parameter data relating to wireless network environment in a code division multiple access system. First, if a server's telephone number is detected from power-on registration data stored in a storage device, then a connection with the server is attempted through a mobile station with a data service function using the server's telephone number. The measured parameter data is then collected and parsed to obtain sets of measured parameter data, each set having a different kind of measured data; and, finally, the sets of measured parameter data are transmitted to the server using the mobile station with the data service function when there is a data transmission request from the server (col. 2, line 23-col. 3, lines 6). Furthermore, the tester server may include a data analyzer, which is one of software tools, to analyze the measured parameter data provided from the tester for the performance evaluation of the base station. The parameter data measured according to the test plan program is collected and parsed to obtain sets of measured parameter data, each having a different kind of measured parameter data (col. 5, lines 19-41; col. 6, lines 3-50; col. 7, line 55- col. 8, line 27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Jeon to the communication system of Yost in order to provide an automatic test method employing a cost-effective and convenient wireless data measurement scheme.

Regarding claims 13-14, Yost et al discloses an apparatus of testing a performance of a mobile station (figs. 2 and 4), comprising: a diagnostic monitoring device configured to virtually change parameters of a mobile station (12a-12c of fig. 2) required for a registration at a base

station to prevent the mobile station from registering with the base station (26a-26b of fig. 2; col. 4, lines 42-50;col. 5, lines 43-54; col. 7, lines 12-44).

However, Yost et al does not specifically disclose the step of causing the mobile station to directly enter an idle mode test state, and further configured to test the performance of the mobile station in the idle mode test state; wherein the diagnostic monitoring device prevents the necessity of a mobile station reboot in order for the mobile station to register with the base station subsequent to the test by not changing the non-volatile memory of the mobile station.

On the other hand, Jeon et al, from the same field of endeavor, discloses a method that automatically measures parameter data relating to wireless network environment in a code division multiple access system. First, if a server's telephone number is detected from power-on registration data stored in a storage device, then a connection with the server is attempted through a mobile station with a data service function using the server's telephone number. The measured parameter data is then collected and parsed to obtain sets of measured parameter data, each set having a different kind of measured data; and, finally, the sets of measured parameter data are transmitted to the server using the mobile station with the data service function when there is a data transmission request from the server (col. 2, line 23-col. 3, lines 6). Furthermore, the tester server may include a data analyzer, which is one of software tools, to analyze the measured parameter data provided from the tester for the performance evaluation of the base station. The parameter data measured according to the test plan program is collected and parsed to obtain sets of measured parameter data, each having a different kind of measured parameter data (col. 5, lines 19-41; col. 6, lines 3-50; col. 7, line 55- col. 8, line 27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply

the technique of Jeon to the communication system of Yost in order to provide an automatic test method employing a cost-effective and convenient wireless data measurement scheme.

Regarding claims 17-18, Yost et al discloses an apparatus for testing a performance of a mobile station, comprising: a diagnostic test circuit configured to prevent a registration of a plurality of mobile stations (12a-12c of fig. 2) at a base station (26a-26b of fig. 2) by changing mobile station parameters loaded referring to non-volatile items required for the registration (col. 4, lines 42-50;col. 5, lines 43-54; col. 7, lines 12-44).

However, Yost et al does not specifically disclose the step of testing a performance of the mobile station in the idle mode test state, wherein the mobile station can register with the base station subsequent to the testing without rebooting.

On the other hand, Jeon et al, from the same field of endeavor, discloses a method that automatically measures parameter data relating to wireless network environment in a code division multiple access system. First, if a server's telephone number is detected from power-on registration data stored in a storage device, then a connection with the server is attempted through a mobile station with a data service function using the server's telephone number. The measured parameter data is then collected and parsed to obtain sets of measured parameter data, each set having a different kind of measured data; and, finally, the sets of measured parameter data are transmitted to the server using the mobile station with the data service function when there is a data transmission request from the server (col. 2, line 23-col. 3, lines 6). Furthermore, the tester server may include a data analyzer, which is one of software tools, to analyze the measured parameter data provided from the tester for the performance evaluation of the base station. The parameter data measured according to the test plan program is collected and parsed

to obtain sets of measured parameter data, each having a different kind of measured parameter data (col. 5, lines 19-41; col. 6, lines 3-50; col. 7, line 55- col. 8, line 27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Jeon to the communication system of Yost in order to provide an automatic test method employing a cost-effective and convenient wireless data measurement scheme.

Regarding claims 21-26, Yost et al discloses an apparatus for testing a performance of mobile stations (figs. 2 and 4) having a global positioning system function, comprising: a divider having a prescribed number of paths, and configured to individually turn on each of the paths one by one if a fail for an idle mode test result of any mobile station occurs during an idle mode test of a plurality of mobile stations (col. 4, lines 42-50;col. 5, lines 43-54; col. 7, lines 12-44).

However, Yost et al does not specifically disclose the features of a diagnostic monitoring circuit configured to monitor and process the idle mode test results, and to intercept a registration of each of the mobile stations with a base station by changing parameters loaded with reference to non-volatile items at each mobile station, the parameters being required for the respective registrations during booting of each mobile station; wherein the diagnostic monitoring circuit controls each of the mobile stations connected thereto to be booted in a state that a power of a base station signal is in an off state.

On the other hand, Jeon et al, from the same field of endeavor, discloses a method that automatically measures parameter data relating to wireless network environment in a code division multiple access system. First, if a server's telephone number is detected from power-on registration data stored in a storage device, then a connection with the server is attempted through a mobile station with a data service function using the server's telephone number. The

measured parameter data is then collected and parsed to obtain sets of measured parameter data, each set having a different kind of measured data; and, finally, the sets of measured parameter data are transmitted to the server using the mobile station with the data service function when there is a data transmission request from the server (col. 2, line 23-col. 3, lines 6). Furthermore, the tester server may include a data analyzer, which is one of software tools, to analyze the measured parameter data provided from the tester for the performance evaluation of the base station. The parameter data measured according to the test plan program is collected and parsed to obtain sets of measured parameter data, each having a different kind of measured parameter data (col. 5, lines 19-41; col. 6, lines 3-50; col. 7, line 55- col. 8, line 27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Jeon to the communication system of Yost in order to provide an automatic test method employing a cost-effective and convenient wireless data measurement scheme.

Allowable Subject Matter

3. Claims 15-16, 19-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 571-272-7853. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MARCEAU MILORD

Marceau Milord
Primary Examiner
Art Unit 2618

4-23-06